

Brent O. Hatch (5715)  
Mark F. James (5295)  
HATCH, JAMES & DODGE  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

David Boies (admitted pro hac vice)  
Robert Silver (admitted pro hac vice)  
Edward Normand (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

Stuart H. Singer (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
401 East Las Olas Boulevard—Suite 1200  
Ft. Lauderdale, Florida 33301  
Telephone: (954) 356-0011  
Facsimile: (954) 356-0022

Stephen N. Zack (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
Bank of America Tower—Suite 2800  
100 Southeast Second Street  
Miami, Florida 33131  
Telephone: (305) 539-8400  
Facsimile: (305) 539-1307

Devan V. Padmanabhan (admitted pro hac vice)  
DORSEY & WHITNEY LLP  
50 South Sixth Street, Suite 1500  
Minneapolis, Minnesota 55402  
Telephone: (612) 340-2600  
Facsimile: (612) 340-2868  
*Attorneys for Plaintiff, The SCO Group, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

NOVELL, INC.,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED] ORDER GRANTING SCO'S  
EX PARTE MOTION FOR LEAVE TO  
FILE ITS RESPONSE IN OPPOSITION  
TO NOVELL'S MOTION FOR  
SUMMARY JUDGMENT ON SCO'S  
FIRST CLAIM FOR SLANDER OF TITLE  
BASED ON FAILURE TO ESTABLISH  
SPECIAL DAMAGES**

Case No. 2:04cv139  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File its over length *Response in Opposition to Novell’s Motion for Summary Judgment on SCO’s First Claim for Slander of Title Based on Failure to Establish Special Damages* (the “Opposition Memorandum”). The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Opposition Memorandum consisting of 41 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: \_\_\_\_\_, 2007

BY THE COURT:

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Honorable Dale A. Kimball